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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of: **Toshiro Sato, et al.**

Group Art Unit: 2123

Serial No.: 09/708,470

Examiner: Ayal I. Sharon

Filed: November 9, 2000

Confirmation No.: 1566

For: **NOISE CHECKING METHOD AND APPARATUS**

RECEIVED

Attorney Docket No.: 001399

SEP 08 2004

Customer Number: 38834

NOTICE OF APPEAL

Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

September 3, 2004

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated May 3, 2004 of the Primary Examiner, in which the claims 1, 2, 4-10, 12-20 and 22-36 have been twice rejected.

The item(s) checked below are appropriate:

1. ☒ A petition for a one month extension of time to respond to the Non-Final Rejection dated May 3, 2004 is filed herewith.
 2. ☐ A timely response to the Final Rejection has been filed, as provided in 37 C.F.R. 1.113.
 3. ☒ Fee -\$330.00 or ☐ Small Entity -\$165.00
- ☒ Enclosed
☐ Not required (fee paid in prior appeal)
☐ Charge to Deposit Account No. 50-2866

In the event this Notice of Appeal is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 50-2866, along with any other additional fees which may be required with respect to this Notice.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

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